

than 30 days after ACTION has mailed the notice to the recipient.

(e) In the selection of a hearing official and the location of either an informal meeting or hearing, the Agency, while mindful of considerations of the recipient, will take care to insure that costs are kept to a minimum. The informal meeting or hearing shall be held in the city or county in which the recipient is located, in the appropriate Regional Office, or another appropriate location. Within the limits stated in the preceding sentence, the decision as to where the meeting shall be held will be made by ACTION, after weighing the convenience factors of the recipient. For the convenience of the recipient, ACTION will pay the reasonable travel expenses for up to two representatives of the recipient, if requested.

(f) The recipient shall be informed of the final Agency decision on refunding and the basis for the decision by the deciding official.

(g) If the recipient's budget period expires prior to the final decision by the deciding official, the recipient's authority to continue program operations shall be extended until such decision is made and communicated to the recipient. If a volunteer's term of service expires after receipt by a sponsor of a tentative decision not to refund a project, the period of service of the volunteer may be similarly extended. No volunteers may be reenrolled for a full 12-month term, or new volunteers enrolled for a period of service while a tentative decision not to refund is pending. If program operations are so extended, ACTION and the recipient shall provide, subject to the availability of funds, operating funds at the same levels as in the previous budget period to continue program operations.

[50 FR 42025, Oct. 17, 1985]

§ 1206.2-5 Right to counsel.

In all proceedings under this subpart, whether formal or informal, the recipient and ACTION shall have the right to be represented by counsel or other authorized representatives, at their own expense.

PART 1210—VISTA TRAINEE DESELECTION AND VOLUNTEER EARLY TERMINATION PROCEDURES

Subpart A—General

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- 1210.1-1 Purpose.
- 1210.1-2 Scope.
- 1210.1-3 Definitions.

Subpart B—VISTA Trainee Deselection

- 1210.2-1 Grounds for deselection.
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- 1210.3-1 Grounds for termination.
- 1210.3-2 Removal from project.
- 1210.3-3 Suspension.
- 1210.3-4 Initiation of termination.
- 1210.3-5 Preparation for appeal.
- 1210.3-6 Appeal of termination.
- 1210.3-7 Inquiry by Hearing Examiner.
- 1210.3-8 Termination file and Examiner's report.
- 1210.3-9 Decision by Director of VISTA.
- 1210.3-10 Reinstatement of Volunteer.
- 1210.3-11 Disposition of termination and appeal files.

Subpart D—National Grant Trainees and Volunteers

- 1210.4 Early termination procedures for National Grant Trainees and Volunteers.

APPENDIX A TO PART 1210—STANDARD FOR EXAMINERS

AUTHORITY: Secs. 103(c), 402(14), Pub. L. 93-113, 87 Stat. 397 and 407.

SOURCE: 46 FR 35512, July 9, 1981, unless otherwise noted.

Subpart A—General

§ 1210.1-1 Purpose.

This part establishes procedures under which certain Trainees and Volunteers serving in ACTION programs under Pub. L. 93-113 will be deselected from training or terminated from service and how they may appeal their deselection or termination.

§ 1210.1-2 Scope.

(a) This part applies to all Trainees and Volunteers enrolled under part A of Title I of the Domestic Volunteer Service Act of 1973, Pub. L. 93-113, as